

September 1, 2010

Rafael Flores
Senior Vice President &
Chief Nuclear Officer
Luminant Generation Company, LLC.
P.O. Box 1002
Glen Rose, TX 76043

SUBJECT: LUMINANT GENERATION COMPANY, LLC. – REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4, DOCKET NUMBERS 52-034 AND 52-035, SUBMITTAL OF PROPRIETARY CALCULATIONS

Dear Mr. Flores:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated December 7, 2009, Mr. Yoshiki Ogata submitted an affidavit dated December 4, 2009, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

LUMINANT GENERATION COMPANY, LLC. – REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4, DOCKET NUMBERS 52-034 AND 52-035, SUBMITTAL OF PROPRIETARY CALCULATIONS

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reason:

- Public disclosure of the referenced information would assist competitors of MHI in their design of new nuclear power plants without the costs or risks associated with the design of new systems and components. Disclosure of the information identified as proprietary would therefore have negative impacts on the competitive position of MHI in the U.S. nuclear plant market.

We have reviewed your application and the materials in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the submitted information marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriated agreements for handling proprietary information.

R. Flores

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If the basis for withholding this information from public inspection should change in the future, such that the information could then be available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at (301) 415-1544, or via e-mail at Stephen.Monarque@nrc.gov.

Sincerely,

/RA/

Stephen R. Monarque, Project Manager
US-APWR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket Nos. 52-034 and 52-035

cc: See next page

R. Flores

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Office of New Reactors

Docket Nos. 52-034 and 52-035

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(Revised 08/24/2010)

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